

ORDINANCE NO. 990902-48

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE AS FOLLOWS:

10.0 ACRE TRACT OF LAND OUT OF THE JAMES BURLESON SURVEY NO. 19, FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT, LOCALLY KNOWN AS THE PROPERTY LOCATED AT SMITH ROAD AND ED BLUESTEIN BOULEVARD, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The Zoning Map established by Chapter 25-2-191 of the City Code is amended to change the base zoning district from Single Family Residence Standard Lot (SF-2) district to General Commercial Services-Conditional Overlay (CS-CO) combining district on the property described in File C14-98-0132, as follows:

10.0 acre tract of land out of the James Burleson Survey No. 19, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as the property located at Smith Road and Ed Bluestein Boulevard, in the City of Austin, Travis County, Texas, and as more particularly identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. Notwithstanding any other provision of the City Code applicable to the Property on the effective date of this ordinance or at the time an application for approval of a site plan or building permit is submitted, no site plan for development of the Property, or any portion of the Property, may be approved or released, and no building permit for construction of a building on the Property, may be issued if the completed development or uses authorized by the proposed site plan or building permit, considered cumulatively with all existing or

10.00 Acres
James Burleson Survey No. 19
Travis County, Texas

FN 1103 (WDO)
June 29, 1998
SAM, Inc. Job No. 98145-01

DESCRIPTION OF A 10.00 ACRE TRACT OF LAND LOCATED IN THE JAMES BURLESON SURVEY NO. 19 IN TRAVIS COUNTY, TEXAS; BEING THE SOUTHWEST PORTION OF A CALLED 33.655 ACRES TRACT OF LAND CONVEYED BY DEED TO MCCANDLESS BLUESTEIN VENTURE RECORDED IN VOLUME 11420, PAGE 300 REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 10.00 ACRE TRACT OF LAND, AS SHOWN ON SURVEYING AND MAPPING, INC. PLAT NO. L003-98145-01, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING at a 1/2-inch iron rod found at the intersection of the east right-of-way line of Ed Bluestein Boulevard (U.S. Highway No. 183) (right-of-way varies) with the north right-of-way line of Smith Road, being the southwest corner of said called 33.655 acres tract and being the southwest corner and the POINT OF BEGINNING hereof;

THENCE with the east right-of-way line of said Ed Bluestein Boulevard and the west line of said called 33.655 acres tract of land the following two (2) courses and distances:

1. N 30° 00' 00" E, a distance of 382.45 feet to a concrete monument found, and
2. N 36° 55' 31" E, a distance of 175.19 feet to a 1/2-inch iron rod set for the northwest corner hereof;

THENCE S 62° 50' 44" E leaving said east right-of-way line of said Ed Bluestein Boulevard and crossing said called 33.655 acres tract of land, a distance of 764.77 feet to a 1/2-inch iron rod set in the east line of said called 33.655 acres tract of land, same being the west line of a called 4.45 acres tract of land conveyed to McCandless Bluestein Venture by deed recorded in Volume 11420, Page 305, Real Property Records of Travis County, Texas, for the northeast corner hereof;

THENCE S 29° 25' 43" W, with the east line of said called 33.655 acres tract of land and west line of said called 4.45 acres tract, a distance 70.21 feet to a 1/2-inch rod found;

THENCE continuing with the east line of said called 33.655 acres tract of land and with the apparent west line of said Smith Road the following three (3) courses and distances:

1. S 28° 53' 43" W, a distance of 338.59 feet to a 1/2-inch iron rod found,
2. S 33° 24' 43" W, a distance of 125.00 feet to a 1/2-inch iron rod set, and
3. S 75° 23' 43" W, a distance of 32.71 feet to a 1 1/2-inch iron rod set for the most southern southeast corner of said called 33.655 acres tract of land and hereof;

EXHIBIT "A"

THENCE N 62° 50' 44" W, with the south line of said called 33.655 acres tract of land and the apparent north line of said Smith Road a distance of 762.39 feet to the point of beginning and containing 10.00 acres of land, more or less.

Bearing Basis: A ½-inch iron rod found and a concrete right-of-way monument found on the west boundary line of a 33.655 acre tract as recorded in Volume 11420, Page 300, Real Property Records, Travis County, Texas, same being the west right-of-way line of U.S. Highway No. 183 (R.O.W. varies). Called N 30° 00' 00" E, a distance of 382.66 feet. Held called bearing between the concrete monument and the ½" iron rod found actual distance to be 382.45 feet.

THE STATE OF TEXAS

COUNTY OF TRAVIS

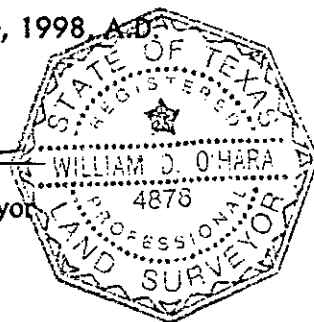
KNOW ALL MEN BY THESE PRESENTS:

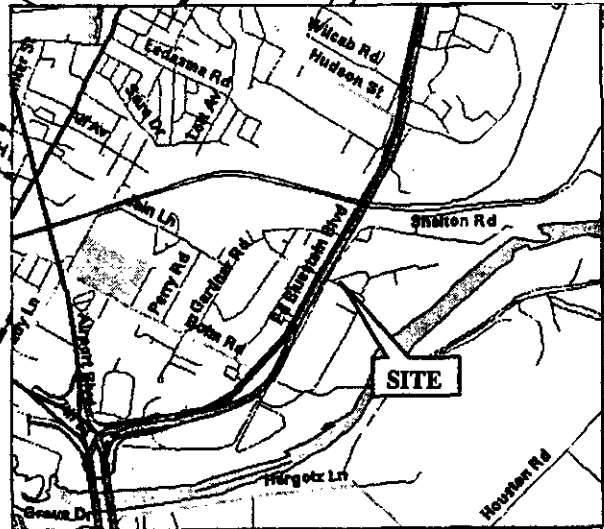
That I, William D. O'Hara, a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during June of 1998, under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas on this 29th day of June, 1998. A.D.

SURVEYING AND MAPPING, Inc.
4029 Capital of Texas Hwy. So., Suite 125
Austin, Texas 78704

William D. O'Hara
William D. O'Hara
Registered Professional Land Surveyor
No. 4878 - State of Texas





 1" = 400'	SUBJECT TRACT PENDING CASE ZONING BOUNDARY CASE MGR: A.GONZALEZ 990102-48	ZONING EXHIBIT 'B' CASE #: C14-98-0132 ADDRESS: ED BLUESTEIN BLVD. & SMITH RD. SUBJECT AREA (acres): 10		CITY GRID REFERENCE NUMBER M21
		DATE: 99-06 INTLS: TRC		

Austin American-Statesman

PO#: 99090248
Ad ID#: 9TK203500
Acct#: 5124992499
Account Name: CITY CLERKS OFFICE

CITY CLERKS OFFICE
PO BOX 1088
AUSTIN, TX 78767

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS
COUNTY OF TRAVIS

Before me, the undersigned authority, a Notary Public in and for the County of Travis,
State of Texas, on this day personally appeared:

SHARON THOMAS

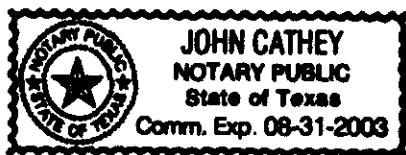
Classified Advertising Agent of the Austin American-Statesman, a daily newspaper
published in said County and State that is generally circulated in Travis, Hays, Burnet
and Williamson Counties, who being duly sworn by me, states that the attached
advertisement was published in said newspaper on the following dates, to wit:

First Published:	10/2/99	Last Published:	10/2/99
Times Published:	1	Classification:	9980
Lines:	19	Cost:	\$63.46

and that the attached is a true copy of said advertisement.

Sharon Thomas

SWORN AND SUBSCRIBED TO BEFORE ME, this the 4th day of October 1999



John Cathey
Notary Public in and for
TRAVIS COUNTY, TEXAS

305 South Congress Ave., P.O. Box 670, Austin, Texas 78767-0670 512-445-3541

